

1 17. (Amended) The method of claim 5, wherein the lower portion of the tray
2 comprises a groove underneath the lower portion notches, the method further
3 comprising laying the length of cable along the groove[:].

1 18. (Amended) A method for using a cable management device to hold and to
2 at least partially conceal a length of cable positioned along a floor at a corner
3 between the floor and a wall, the device having a tray with an upper portion and
4 a lower portion and a cover, each portion having at least one notch, the method
5 comprising:

6 [(a)] mounting the tray in a corner between the floor and the wall;

7 [(b)] arranging the length of cable in the tray alongside the wall;

8 determining if a lower portion notch is to be used to pass the length of
9 cable and, if so, routing the length of cable through the lower portion notch;

10 [(c)] determining if an upper portion notch [the notch at the upper
11 portion of the tray] is to be used to pass the length of cable and, if so, routing
12 the length of cable through the upper portion notch; and

13 [(d)] closing the cover on the tray.

REMARKS

This paper is intended to be a complete response to the above-identified Office Action. It is believed no fee is due. If additional fees are required however, the Assistant Commissioner is authorized to deduct the necessary charges from Deposit Account 20-1504 (MICE-0059-00-US).

It is requested that the Examiner note that a "Substitute Power of Attorney and Change of Address" has been filed for this application and that, as a result, all correspondence should be sent to Coe F. Miles at TROP, PRUNER, HU & MILES, P.C., 8554 Katy Freeway, Suite 100, Houston, Texas 77024. In addition, the Examiner is asked to note that the new attorney docket number is MICE-0059-00-US (95.02260.00).

Specification

The specification has been amended to provide notice of co-pending and commonly assigned U.S. patent application 08/987,186. In addition, the specification has been amended to correct a spelling error at page 3. No new matter has been introduced.

Figures

Substitute Figures 1, 2, 4, 6 and 7 have been amended to conform to the written specification (see, for example, page 6, lines 5-7 and page 8, line 2). No new matter has been introduced. To facilitate the Examiner's review, a complete set of formal drawings has also been included with this Reply.

Section 102 Rejections

The Examiner has rejected claims 5, 7 through 11, 13, 15, 16 and 18 through 20 as allegedly being anticipated under 35 U.S.C. 102(b) by U.S. Patent 5,274,972 to Hansen (hereinafter Hansen). Specifically, the Examiner asserts that "Hansen sets forth a cable management system including a tray having notches to receive cables and a cover to conceal the cables placed in the notches" (Office Action at paragraph 2, page 2).

With respect to claims 5, 7 through 10, 15 and 16, it is respectfully submitted that Hansen does not anticipate the claimed subject matter. Specifically, Hansen does not teach or describe a "cable management device" having a "tray with a plurality of notches at an upper portion and a plurality of notches at a lower portion" (see independent claims 5 and 18). As defined in the specification at page 7, lines 3 through 9, "the notches (or openings) 22 and 23 are ... continuous with and form part of the notched sections 19 and 21 respectfully ... [and are] ... of sufficient size ... to allow one or more cables to be routed into or out of the tray 11" (see also figures 1 and 3 through 5). In contrast, the "gutter shaped ducts 3a, 3b" (see col. 1, lines 49-59; and Figs. 1, 2

and 4) of Hansen form troughs that are internal to Hansen's retaining strip 4 (e.g., tray) and which do not allow cables to be passed into and/or out of the tray (see independent claims 5 and 18).

With respect to claims 11 and 13, it is respectfully submitted that Hansen does not teach or describe the claimed method for managing and at least partially concealing a length of cable, wherein the tray has first and second notched sections adapted to route a length of cable into, or out of, the tray. As discussed above, Hansen fails entirely to describe a notched cable tray wherein the notches may be used to route cables into or out of the tray. It is further noted that claims 11 and 13 have been amended only to correct form. No substantive amendments have been made.

Because Hansen does not teach a cable management device having notches through which a cable may enter and/or leave the cable management device, Hansen fails to anticipate the claimed invention. Accordingly, Thus, the Assignee respectfully requests that the Examiner reconsider the rejection.

Section 103 Rejections

The Examiner has rejected claims 6 and 12 as allegedly being unpatentable under 35 U.S.C. 103(a) over Hansen in view of U.S. Patent 5,362,923 to Newhouse et al.

Claims 6 and 10 depend from allowable independent claim 5 and are, therefore, allowable for at least the same reasons.

CONCLUSIONS

Reconsideration of the pending claims 5 through 10, 15, 16 and 18 through 20 in light of the above remarks and amendments is respectfully requested. If, after considering this reply, the Examiner believes that a telephone conference would be beneficial towards advancing this case to allowance, the

Examiner is strongly encouraged to contact the undersigned attorney at the number listed.

11-9-1999

Date



Coe F. Miles
Reg. No. 38559
Trop, Pruner, Hu & Miles, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024
Voice: 713-468-8880
Facsimile: 713-468-8883